

Tosolini, Lamura, Rasile & Toniutti LLP

INTERNATIONAL LAW FIRM

New York
70 West 36 Street 12 FL
Suite 12A
New York, New York 10018
Phone: 1 212 564 5400
Fax: 1-646-536-8719
Email: info@bitalaw.com
www.bitalaw.com

Miami
407 Lincoln Road, Suite 11-C
Miami Beach, FL, 33139
Phone: +1 786 497 1872
Fax: +1 786 497 1873
Email: info@bitalaw.com
www.bitalaw.com

Rome
Via Muggia No. 33
00195 Rome, Italy
Phone: +39 06 976 12710
Fax: +39 06 972 55184
Email: info@bitalaw.com
www.bitalaw.com

Milan
Tosolini, Lamura, Rasile & Toniutti LLP
in association with La Russa Studio Legale
Corso di Porta Vittoria No. 18
20122 Milan, Italy
Phone: +39 02 55 12 750
Email: info@bitalaw.com
www.bitalaw.com

Admitted in New York
Rocco Lamura
Gianni Toniutti
Emanuela Tosolini

Admitted in Florida
Claudia Moncarz
Felippe Moncarz

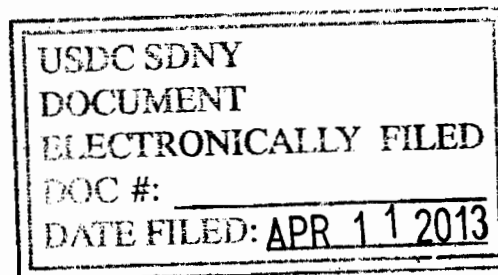
Admitted in Italy
Rocco Lamura
Marianna Lamura
Caterina Naso
Nicola Rasile

New York, April 10, 2013

VIA FAX 1 212 805 0426

Hon. Judge
Laura Taylor Swain
United States District Judge
500 Pearl St.
New York, NY 10007

MEMO ENDORSED



RE: ERMINI vs. VITTORI - 12-cv-06100-(LTS) -

Dear Judge Swain:

We are in receipt of Defendant's letter and exhibit(s) dated April 8, 2013.

New York

Miami

Rome

Milan

Tosolini, Lamura, Rasile & Toniutti LLP

INTERNATIONAL LAW FIRM

In this respect, we understand that this Court provided specific and clear instructions as to the documents and activities to be performed under the above captioned case. Indeed, we believed that after trial, the only documents, we, both Plaintiff and Defendant, could file were the conclusion of law and related reply. That was our understanding after the Court instructions the last day of the trial.

Notwithstanding the above, with surprise, we understand Defendant filed an additional letter dated April 8, 2013, with attached an Italian Order, with additional conclusion of law, right before a judgment on this matter should be rendered.

We, Plaintiff, on the other hand, although we had additional conclusions of law we would have submitted to Your attention, on the other hand, have complied with Your instructions and refrained from doing so.

Evidence were introduced at Trial. A trial was held on January 28-30, 2013. Conclusion of law and related reply were filed before You.

We believe this is an unfair course of action from Defendant and, once more, highly prejudicial toward our Client's interest.

Therefore, we hereby request this Court to (i) disregard and (ii) remove such letter and the attached order from the record.

In addition, as always, Defendant did not mention that the Court of Appeal of Rome, Italy, did not adjudicate or review a case on the Hague Convention, as the case before You.

The Court of Appeal temporarily, subject to the Velletri Court's review (to be held on April 22, 2013 for an additional order on the same issues), reviewed, upon Defendant's appeal, the Velletri Order of September 20, 2012. This means that the Italian Court of Velletri, on April 22, 2013, shall adjudicate, once more, the same issues reviewed, temporarily, by the Court of Appeal, and reconfirmed, most likely, the same Order of September 20, 2012.

Respectfully submitted,

Rocco Lamura

Rocco Lamura

The current status of the Italian proceedings is obviously material to certain of the issues pending before this Court. Petitioner may make any additional submission in this regard by tomorrow, Friday April 12, 2013, at 3:00 pm.

New York

Miami

SO ORDERED:

Rome

4/11/13 Milan

HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE